

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION**

United States of America,

Plaintiff,

v.

Civil Action No. 6:17CR00013-001

Wayne Thomas Burnley,

Defendant.

NOTICE

This case is before the Court pursuant to Plaintiff's Motion to Dismiss in Response to Petitioner's Motion for Relief Pursuant to Title 28, USC Section 2255 filed 1/13/2023. Before ruling on this motion, the Court will give Defendant(s) twenty-one (21) days from the date of this Notice to submit counter-affidavits or other relevant evidence contradicting, explaining or avoiding Plaintiff's evidence. Failure of Defendant(s) to so respond may, if appropriate, result in summary judgment being granted for Plaintiff(s).

If Defendant(s) have already submitted counter-affidavits or other relevant evidence contradicting, explaining, or avoiding Plaintiff(s) evidence, Defendant(s) may disregard this notice.

Issued and mailed this 17th day of January, 2023.

LAURA A. AUSTIN, CLERK

By: s/A. Little
Deputy Clerk